

thority, or a substantial and specific danger to public health or safety. However, an employee may be required to inform the person that the employee made a disclosure of information permitted by this section if the employee represented that the disclosure was the official position of the employee's immediate supervisor or employer.

Sec. 15. Section 70A.28, Code 2005, is amended by adding the following new subsection: NEW SUBSECTION. 5A. Subsection 2 may also be enforced by an employee through an administrative action pursuant to the requirements of this subsection if the employee is not a merit system employee or an employee covered by a collective bargaining agreement. An employee eligible to pursue an administrative action pursuant to this subsection who is discharged, suspended, demoted, or otherwise reduced in pay and who believes the adverse employment action was taken as a result of the employee's disclosure of information that was authorized pursuant to subsection 2, may file an appeal of the adverse employment action with the public employment relations board within thirty calendar days following the later of the effective date of the action or the date a finding is issued to the employee by the office of the citizens' aide pursuant to section 2C.11A. The findings issued by the citizens' aide may be introduced as evidence before the public employment relations board. The employee has the right to a hearing closed to the public, but may request a public hearing. The hearing shall otherwise be conducted in accordance with the rules of the public employment relations board and the Iowa administrative procedure Act, chapter 17A. If the public employment relations board finds that the action taken by the person appointing the employee was in violation of subsection 2, the employee may be reinstated without loss of pay or benefits for the elapsed period, or the public employment relations board may provide other appropriate remedies. Decisions by the public employment relations board constitute final agency action.

#### DIVISION IV LEGISLATIVE OVERSIGHT

Sec. 16. Section 2.45, subsection 5, Code 2005, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. The committee shall implement a systematic process of reviewing the reports required to be filed with the legislative services agency pursuant to section 8F.4.

Approved June 1, 2006

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### CHAPTER 1154

#### SCHOOL FINANCE — ALLOWABLE GROWTH

H.F. 2095

**AN ACT** providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 257.8, subsection 1, Code Supplement 2005, is amended to read as follows:

1. STATE PERCENT OF GROWTH. ~~The state percent of growth for the budget year begin-~~

ning July 1, 2005, is four percent. The state percent of growth for the budget year beginning July 1, 2006, is four percent. The state percent of growth for the budget year beginning July 1, 2007, is four percent. The state percent of growth for each subsequent budget year shall be established by statute which shall be enacted within thirty days of the submission in the year preceding the base year of the governor's budget under section 8.21. The establishment of the state percent of growth for a budget year shall be the only subject matter of the bill which enacts the state percent of growth for a budget year.

Sec. 2. APPLICABILITY. This Act is applicable for computing state aid under the state school foundation program for the school budget year beginning July 1, 2007.

Approved June 1, 2006

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## CHAPTER 1155

### PUBLIC HEALTH LICENSING BOARDS — DUTIES AND FEES

H.F. 2748

**AN ACT** providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, providing for the non-transferability of specified fees, and providing effective dates.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 136C.10, Code Supplement 2005, is amended to read as follows:  
136C.10 FEES.

1. a. The department shall establish and collect fees for the licensing and amendment of licenses for radioactive materials, the registration of radiation machines, the periodic inspection of radiation machines and radioactive materials, and the implementation of section 136C.3, subsection 2. Fees shall be in amounts sufficient to defray the cost of administering this chapter. The license fee may include the cost of environmental surveillance activities to assess the radiological impact of activities conducted by licensees.

b. ~~Fees collected shall be remitted to the treasurer of state who shall deposit the funds in the general fund of the state. However, the fees collected from the licensing, registration, authorization, accreditation, and inspection of radiation machines used for mammographically guided breast biopsy, screening, and diagnostic mammography shall be used to support the department's administration of this chapter and the fees collected shall be considered repayment receipts, as defined in section 8.2.~~

c. ~~b.~~ When a registrant or licensee fails to pay the applicable fee the department may suspend or revoke the registration or license or may issue an appropriate order. Fees for the license, amendment of a license, and inspection of radioactive material shall not exceed the fees prescribed by the United States nuclear regulatory commission.

2. The department may establish and collect a fee related to transporting radioactive material if the fee is used for a purpose related to transporting radioactive material, including enforcement and planning, developing, and maintaining a capability for emergency response. The fees shall be established by rules adopted pursuant to chapter 17A, ~~and shall be deposited into a special fund within the state treasury under the exclusive authority of the department.~~